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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/781,966	02/14/2001	Akinobu Fujino	1114-156	9757
23117	7590	03/08/2004	EXAMINER	
NIXON & VANDERHYE, PC 1100 N GLEBE ROAD 8TH FLOOR ARLINGTON, VA 22201-4714			KE, PENG	
			ART UNIT	PAPER NUMBER
			2174	
			DATE MAILED: 03/08/2004	

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/781,966

Applicant(s)

FUJINO, AKINOBU

Examiner

Peng Ke

Art Unit

2174

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 19 December 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

### DETAILED ACTION

1. This action is responsive to communications: Amendment, filed on 12/19/03.

This action is final.

2. Claims 1-20 are pending in this application. Claims 2 are independent claims. In the Amendment, filed on 12/19/03, claim 1 was amended.

### *Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 2, 5-8, 13, 15, 17, and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Niblack (US 6,181,342) in view of Katinsky et al. (US 6,452,609).

As per claim 1, Niblack teaches a file processing apparatus comprising:

file display means for displaying a predetermined file in a predetermined file display region as an icon (fig 5, items 64a-64h);

selected file storage means, in response to a selection request with regard to a predetermined file displayed in the file display region, for storing a selected file (col. 3, lines 21-36; Examiner infers directory to be a selected file storage means);

selected file display means for displaying the selected file in a predetermined selected display region as an icon (col. 4, lines 23-35; It is inherent that in order to select a file to be executed, the user must select display region of the icon); and

Art Unit: 2174

process execution means, in response to a predetermined process request, for subjecting a file stored by the selected file storage means to a predetermined process (col. 4, lines 1-35).

However, Niblack fails to teach wherein a display screen of the file processing apparatus is divided into a least three different areas at a given point in so as to include each of the file display region, the selected display region, and a process display region, so that the display screen simultaneously displays each of the following at the given point in time: (a) the icons of the plurality of predetermined files in the file display region, (b) at least the selected file in the selected display region which is different than the file display region and (c) process icons in the process display region indicative of processes that the selected file can be subjected to.

✓✓ Katinsky et al. teaches wherein a display screen of the file processing apparatus is divided into <sup>at</sup> least three different areas at a given point in so as to include each of the file display region, the selected display region, and a process display region (fig. 8a), so that the display screen simultaneously displays each of the following at the given point in time: (a) the icons of the plurality of predetermined files in the file display region (fig 1, item 12, fig 8), (b) at least the selected file in the selected display region which is different than the file display region (fig. 1, item 16) and (c) process icons in the process display region indicative of processes that the selected file can be subjected to (fig. 9b, item 82, fig. 5, item 58).

It would have been obvious to an artisan at the time of the invention to include Katinsky et al.'s teaching with Niblack's apparatus in order to provide user with the ability to access and control multiple different objects with out opening multiple folders.

Art Unit: 2174

As per claim 2, Niblack and Katinsky teach the file processing apparatus of claim 1. Niblack further teaches wherein the file display means displays the files in the file display regions as thumbnails (fig 5, items 64a-64h).

As per claim 5, which dependent on claim 1, it is of the same scope as claim 2. (see rejection above)

As per claim 6, which dependent on claim 1, it is of the same scope as claim 2. (see rejection above)

As per claim 7, Niblack and Katinsky teach the file processing apparatus of claim 1. Niblack further teaches wherein the selected file storage means stores files selected from among a plurality of folders, and that the selected file display means displays these files in one selected file display region (col. 8, lines 9-24; Examiner infers directories to be folders).

As per claim 8, Niblack and Katinsky teach the file processing apparatus of claim 6. Niblack further teaches wherein the selected file storage means stores files selected from among a plurality of folders and that the selected file display means displays these files in one selected file display region (col. 8, lines 9-24; Examiner infers directories to be folders).

As per claim 13, Niblack and Katinsky teach the file processing apparatus of claim 1. Niblack further teaches the apparatus comprising:

process storage means for storing a plurality of process requests (col. 6, lines 46-56), wherein the process execution means subjects the files stored by the selected file storage means to a plurality of processes, in response to the plurality of process requests stored in the process storage means (col. 6, lines 56-68, col. 7, lines 1-10; Examiner infers monitoring and updating new documents to be a plurality of process).

Art Unit: 2174

As per claim 15, Niblack and Katinsky teach the file processing apparatus of claim 1.

Niblack further teaches the apparatus comprising:

file selection means for selecting, from among an arbitrary plurality of files, those files that match a predetermined condition (col. 9, lines 45-54).

As per claim 17, Niblack and Katinsky teach the file processing apparatus of claim 15.

Niblack further teaches the apparatus wherein the file selection means selects files from within an arbitrarily defined range (col. 9, lines 53-58; Examiner infers to limiting the size to be defining a range).

As per claim 19, Niblack and Katinsky teach the file processing apparatus of claim 1.

Niblack further teaches a computer readable storage medium on which a program is stored that allows a computer to operate as the file processing apparatus of claim 1 (col. 9, lines 20-32).

Claims 3, 4, 11, 12, 14, 16, 18, and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Niblack (US, 6,181,342) in view of Katinsky et al. (US 6,452,609) further in view of Oesterer et al. (US 6,415,298).

As per claim 3, Niblack and Katinsky teach the file processing apparatus of claim 1.

However they fail to further teach the apparatus comprising:

selected file cancellation means, in response to a predetermined selection cancel request, for canceling the selection of a portion or all of the files stored by the selected file storage means.

Oesterer et al. teaches an apparatus comprising:

selected file cancellation means, in response to a predetermined selection cancel request, for canceling the selection of a portion or all of the files stored by the selected file storage means

Art Unit: 2174

(Fig. 1, item 44, col. 6, lines 50-61, col. 7, lines 1-17; It is inherent that once the user deactivate the account the data and files regarding the actual transaction of the account will be deleted).

It would have been obvious to an artisan at the time of the invention to include Oesterer et al. teaching with apparatus of Niblack and Katinsky in order to allow the user to organize complex information in a visually descriptive and flexible manner that is similar to the way, which files are organized.

As per claim 4, which is dependent on claim 2, it is of the same scope as claim 1. (see rejection above)

As per claim 11, Niblack and Katinsky teach the file processing apparatus of claim 1. However, they fail to teach the apparatus wherein the selected file storage means keeps storing the selected files, even after a process has been executed by the process execution means, until a predetermined selection cancel request.

Oesterer et al. teaches an apparatus wherein the selected file storage means keeps storing the selected files, even after a process has been executed by the process execution means, until a predetermined selection cancel request (Fig. 1, item 44, col. 6, lines 50-61, col. 7, lines 1-17).

It would have been obvious to an artisan at the time of the invention to include Oesterer et al. teaching with apparatus of Niblack and Katinsky in order to allow the user to organize complex information in a visually descriptive and flexible manner that is similar to the way, which files are organized.

As per claim 12, which is dependent on claim 8, it is of the same scope as claim 11. (see rejection above)

Art Unit: 2174

As per claim 14, Niblack, Katinsky and Oesterer et al. teach the file processing apparatus of claim 12. Niblack further teaches the apparatus comprising:

process storage means for storing a plurality of process requests (col. 6, lines 46-56), wherein the process execution means subjects the files stored by the selected file storage means to a plurality of processes, in response to the plurality of process requests stored in the process storage means (col. 6, lines 56-68, col. 7, lines 1-10; Examiner infers to monitoring and updating new documents to be a plurality of process requests).

As per claim 16, Niblack, Katinsky and Oesterer et al. teach the file processing apparatus of claim 14. Niblack further teaches the apparatus comprising:

file selection means for selecting, from among an arbitrary plurality of files, those files that match a predetermined condition (col. 9, lines 45-54).

As per claim 18, Niblack, Katinsky and Oesterer et al. teach the file processing apparatus of claim 16. Niblack further teaches wherein the file selection means selects files from within an arbitrarily defined range (col. 9, lines 53-58; Examiner infers to limiting the size to be defining a range).

As per claim 20, Niblack, Katinsky and Oesterer et al. teach the file processing apparatus of claim 18. Niblack further teaches a computer readable storage medium on which a program is stored that allows a computer to operate as the processing apparatus (col. 5, lines 1-24)

Claims 9, and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Niblack (US 6,181,342) in view of Katinsky et al. (US 6,452,609) further in view of Guzak et al. (US 5,838,319).



As per claim 9, Niblack and Katinsky teach the file processing apparatus of claim 7. However they fail to teach further comprising: folder display means for displaying the folders in which files displayed by the selected file display means in the selected file display region are actually located. Guzak et al. teaches an apparatus comprising: folder display means for displaying the folders in which files displayed by the selected file display means in the selected file display region are actually located (Fig 9, item 90; col. 7, lines 9-26). It would have been obvious to an artisan at the time of the invention to include Guzak et al. teaching with apparatus of Niblack and Katinsky in order to provide a visual cue that identifies the path of the selected files.

As per claim 10, Niblack and Katinsky teach the file processing apparatus of claim 8. However they fail to teach the apparatus comprising:

folder display means for displaying the folders in which files displayed by the selected file display means in the selected file display region are actually located.

Guzak et al. teaches a file processing apparatus comprising:

folder display means for displaying the folders in which files displayed by the selected file display means in the selected file display region are actually located (Fig 9, item 90; col. 7, lines 9-26). It would have been obvious to an artisan at the time of the invention to include Guzak et al. teaching with apparatus of Niblack and Katinsky in order to provide a visual cue that identifies the path of the selected files.

### ***Response to Argument***

Applicant's arguments with respect to claims 1-20 have been considered but are deemed to be moot in view of the new grounds of rejection.

Art Unit: 2174

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Peng Ke whose telephone number is (703) 305-7615. The examiner can normally be reached on M-Th and Alternate Fridays 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine L Kincaid can be reached on (703) 308-0640. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2174

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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